

REMARKS/ARGUMENTS

Claims 1-28 were pending. Upon entry of this amendment, claims 1-28 will remain pending consideration and no claims are amended.

In the Office Action, the Examiner rejected claims 1-28 under 35 USC §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0120639 (now U.S. Patent No. 6,879,988) published for Basin et al. (hereinafter “Basin”) in view of one or more of U.S. Patent No. 6,160,544, issued to Krause et al. (hereinafter “Krause”), U.S. Patent No. 6,771,384, issued to Laverty et al. (hereinafter “Laverty”), U.S. Patent Publication 2003/0140065 to Lovvik et al. (hereinafter “Lovvik”) and/or U.S. Patent No. 6,772,338 issued to Hull et al. (hereinafter “Hull”).

Applicants respectfully traverse the rejection and request allowance of claims 1-28 as Basin does not in fact disclose or suggest all of the claim elements the Examiner is citing Basin for and the remaining references do not appear to make up for what Basin lacks. Reserving the right to object to the combination of so many references as improper and not leading to an obvious combination, even the references combined do not disclose or suggest all of the elements of the claims.

In rejecting claim 1 in the Office Action, the Examiner asserted that Basin showed “extracting content from the first level content files and replacing references to the first level content files in the content package file with the content extracted from the first level content files to create a combined file. (Fig. 9)(Paragraph 39)(Paragraph 37 lines 4-16)” and “removing the references from the combined file (Paragraph 10)(Paragraph 12)”.

As explained in the specification and as defined in claim 1, a combined file is created from the content package file with references to the first level content files replaced with content extracted from those files. Those references so replaced are removed. In contrast, Basin’s Fig. 9 only shows a list of filenames, not any content. Thus, even if it were assumed that Basin’s filenames were identical to the claimed references, that would not suggest the claimed element, at least because there is no combined file as that element is claimed. Basin describes how to extract files from an archive in paragraph 37 (referring to paragraph numbering provided in the published application) and describes how to add or delete files from an archive and even

that a “to be deleted” icon can be displayed next to a file identifier, but this does not constitute a combined file.

Furthermore, paragraphs 10 and 12 of Basin relate to file shortcuts and even if Basin’s file shortcuts were assumed to be identical to the claimed references, merely removing file shortcuts from an archive is not the same as removing references from a combined file, since there is no combined file in Basin to remove the references from. It should be noted that an archive of multiple files is not the same as a combined file, and the claimed combined file is not the same as merely a content package file.

It should be noted that claim 1 recites retrieving references to first level content files, extracting content from the first level content files, replacing references with the extracted content to create a combined file, removing those references from the combined file, and creating a preview wherein information rendered by the preview displays at least some of the content extracted from the first level content files and content from the content package file. This set of steps is not disclosed or suggested in Basin. If it were, one would expect to see at least an illustration like Fig. 9 with content from the archive (assuming the archive were the same as a content package file) and content from files contained within that archive file (assuming the contained files were the same as first level content files), or some portion of the specification describing such. Instead, what Basin shows is a log screen listing statuses of actions taken. Even assuming that Basin’s Fig. 9 suggests a display of an archive file’s content, which that particular figure is not, that still would not suggest a preview of the claimed combined file.

The Examiner cites to Fig. 9, paragraph 35 and paragraph 36 of Basin as teaching creating a preview, but concedes that Basin does not teach a preview having content extracted from first level content files and content from a second package file. Notably, that is not what is being claimed in claim 1. The Examiner cites to Krause (column 3, lines 7-15, 22-28, 35-41) as teaching this. Admittedly, Krause does disclose, at column 3, lines 22-28 and accompanying figures, that contents of one file can be displayed along with meta-data about that one file obtained from a second file. However, that is not relevant in view of what is claimed. The claimed preview displays at least some of the content extracted from the first level content files and content from the content package file. In a given embodiment, the preview might also

display meta-data and that meta-data might come from somewhere else besides a first level content file, as in Krause, but it would still display “at least some of the content extracted from the first level content files and content from the content package file” and that is not disclosed or suggested by those cites in Krause and does not appear to the Applicant to be found in the remainder of Krause. Krause does teach the viewing of contents of a file found in an archive, but that is not the same as displaying the claimed preview.

The remaining references do not make up for what the combination of Basin and Krause lacks and were not cited for that purpose. Claims 1-24 were rejected using the Basin/Krause combination and the Applicant submits that each of those claims are allowable over Basin/Krause as that combination fails to disclose or suggest each claimed element and the remaining references do not make up for that lack.

As for claim 25, that claim recites at least extracting content from first level content files, extracting content from one or more lower level content files referenced to the first level content files, replacing references to the first level content files and the one or more lower level content files with at least some of the extracted content to generate a combined content file representing a modified version of the content package file, removing the references from the combined content file and previewing the modified version of the content package file.

None of the cited references appear to include anything that could be mapped to the combined content file. Basin shows a log screen, but that is not a combined content file. Krause shows that contents of one file can be displayed along with meta-data about that one file obtained from a second file, but that is also not a combined content file. Krause does teach the viewing of contents of a file found in an archive, but that is not the same as previewing the modified version of the content package file.

The remaining references do not make up for what the combination of Basin and Krause lacks and were not cited for that purpose. Therefore, claim 25 and claims 26-28 dependent therefrom are allowable over the cited references and their rejection should be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Date: April 23, 2007


Philip H. Albert
Reg. No. 35,819

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (650) 326-2422
PHA/psc

60987340 v1